

COURT OF APPEAL FOR BRITISH COLUMBIA

FORM 4

NOTICE OF APPLICATION (RULES 13(a), 18(4), 20(3) and (4), 54(a), 58(1), 59(1), 60(2), 61(2), 63(2))



Court of Appeal File No.

CA51343

The file number can be found on the upper right corner of the Notice of Appeal.

PARTIES TO THE APPEAL

Appellant(s)

List the name(s) of the appellant(s) named on Form 1: Notice of Appeal.

599315 B.C. Ltd. and Daniel Matthews

Respondent(s)

List the name(s) of the respondent(s) named on Form 1: Notice of Appeal.

Sanovest Holdings Ltd. (Petitioner)
Ecoasis Developments LLP, (Respondent)
Ecoasis Bear Mountain Developments Ltd., (Respondent)
Ecoasis Resort and Golf LLP, (Respondent)
0884185 B.C. Ltd., (Respondent)
0884188 B.C. Ltd., (Respondent)
0884190 B.C. Ltd., (Respondent)
0884194 B.C. Ltd., (Respondent)
BM 81/82 Lands Ltd., (Respondent)
BM 83 Lands Ltd., (Respondent)
BM 84 Lands Ltd., (Respondent)
BM Capella Lands Ltd., (Respondent)
BM Highlands Golf Course Ltd., (Respondent)
BM Highlands Lands Ltd., (Respondent)
BM Mountain Golf Course Ltd. (Respondent)
Bear Mountain Adventures Ltd., (Respondent)
Tomoson Kusumoto, (Attendee)
Alvarez & Marsal Canada Inc., (Receiver)
Royal Bank of Canada (Attendee)

This application is in the jurisdiction of:

The Court (3 Justices) A Chambers Justice The Registrar

To the person(s) filing the application (the *applicant*):

If your application is before a chambers justice, check the [available chambers dates](#) on the court website and the timelines for bringing your application under the rules.

If your application is before the court or the registrar, contact the appropriate scheduler before completing this form.

Communicate with the other person(s) to ensure they are available on the requested date. Chambers applications are to be no more than 30 minutes.

Name(s) of person(s) bringing the application

599315 B.C. Ltd. and Daniel Matthews

Name(s) of responding person(s) to be served with the application

Sanovest Holdings Ltd. (Petitioner)
Tomoson Kusumoto, (Attendee)
Alvarez & Marsal Canada Inc., (Receiver)
Royal Bank of Canada (Attendee)

Location where the application will be heard
Enter the address of the courthouse.

B.C. Court of Appeal
Suite 400, 800 Hornby St.
Vancouver BC V6Z 2C5

Date the application will be heard

March 18, 2026

Chambers applications begin at 9:30 a.m.

DD/MM/YYYY

The applicant anticipates that this application will be...
Check only one.

Contested Uncontested

Enter the section(s) or rule(s) that you are relying on for your application

E.g., If you are applying for leave to appeal, enter "Section 31 of the Court of Appeal Act." If you are applying for a stay of proceedings, enter "Section 33 of the Court of Appeal Act."

Section 31 of the Court of Appeal Act.

Enter the order(s) that you are seeking

E.g., "stay of proceedings" or "extension of time to file an appeal book" and any request with respect to costs. If you are seeking leave to appeal, enter "leave to appeal the order of _____."

Leave to appeal the variance of the Receivership Order to encompass the Bear Mountain Litigation (VA S223937; VA S234047; VA S234048; and VA S226218) within the Receivership.

Is an application book required?

See Rule 13 for leave applications and Division 2 of Part 9 of the Rules for other applications.

Yes

No

If you are not required to file an application book, list the affidavit(s) in support of this application

Enter the name of each person whose affidavit is being filed and the date each affidavit was sworn.

Email address(es) for service of applicant(s)

If you provide an email address, you consent to have documents served on you by email.

mfunt@bfg-law.ca
jchan@bfg-law.ca
vcheng@bfg-law.ca

Date form completed

09/02/2026

DD/MM/YYYY

Name of lawyer or applicant authorizing filing of this form

Malcolm Funt